

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.
Eduardo Javier GOMEZ
COB: United States
YOB: 1991

Case No. M-21-1518-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 07/08/2021 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 USC 1324

knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation

United States District Court
Southern District of Texas
FILED

This criminal complaint is based on these facts:

SEE ATTACHMENT A

JUL 09 2021

Nathan Ochsner, Clerk

 Continued on the attached sheet.Complaint authorized by: Matthew
Redavid

Submitted by reliable electronic means, sworn to and attested telephonically per Fed.R.Cr.P. 4.1, and probable cause found on:

Date: 7/9/21 - 2:10 pm

City and state: McAllen, Texas

Complainant's signature
Cordero Contreras, HSI Special Agent

Printed name and title

Judge's signature
Juan F. Alanis, US Magistrate

Printed name and title

Attachment A

This affidavit is intended to show merely that there is sufficient probable cause and does not set forth all of my knowledge about this matter.

On July 6, 2021, Homeland Security Investigations (HSI) McAllen, Texas received information regarding a human smuggling organization operating within Hidalgo County Texas. A reporting party issued a report to the New York Police Department (NYPD) stating that three of their family members, Roger JUAREZ Zamora, Juan Carlos ANTONIO Zamora, Luz Marisela FERNANDEZ Juarez all undocumented aliens illegally present in the United States (US) and were believed to be held against their will by an unknown human smuggler. NYPD forward the information to the Drug Enforcement Administration (DEA). The DEA forwarded the information to the Texas Rangers who then forwarded the information to HSI McAllen. HSI McAllen Special Agents (SAs) contacted the reporting party who was the sister of ANTONIO here in after referred to as MARIA. MARIA stated that her family members had paid approximately \$4500.00 for each family member to be smuggled to the US. Upon arriving in the US, US based smugglers contacted MARIA's husband, here in after referred to as VICTOR, requesting approximately \$12,000.00 in order to smuggle ANTONIO, FERNANDEZ, and JUAREZ to Houston, Texas, and stated that they would require approximately \$6,000.00 to initiate the trip to Houston, Texas and would require an additional \$6,000.00 upon their arrival in Houston, Texas. Rather than smuggling ANTONIO, FERNANDEZ, and JUAREZ to Houston, the smugglers transferred, ANTONIO, FERNANDEZ, and JUAREZ to another smuggler (later identified as Eduardo Javier GOMEZ). GOMEZ contacted VICTOR via cellular telephone number ending 2954. Law enforcement databases identified the phone number as belonging to Eduardo Javier GOMEZ. Law enforcement databases also revealed several addresses associated with GOMEZ located on Saturn St. in Edinburg, TX 78542. As reported by MARIA upon arriving with GOMEZ, GOMEZ took the cellular telephones away from ANTONIO and FERNANDEZ. VICTOR and MARIA were only able to communicate with FERNANDEZ, ANTONIO, and JUAREZ through GOMEZ' cellular telephone ending 2954 to request additional funds to transport the aliens. MARIA observed that it was a male's voice on the phone. VICTOR refused to pay any more additional money. MARIA stated that the male voice said that he would make FERNANDEZ, ANTONIO, and JUAREZ work to pay off their smuggling fees.

According to MARIA, FERNANDEZ, and JUAREZ speak an indigenous dialect in addition to Spanish. Utilizing their indigenous language JUAREZ and FERNANDEZ were able to communicate more openly with MARIA and VICTOR. MARIA shared that FERNANDEZ was living with GOMEZ and working as a babysitter and cleaning GOMEZ' house. Additionally, ANTONIO and FERNANDEZ were forced to work at a firework stand. JUAREZ was forced to sit in a vehicle outside a bar called Los Amigos in Edinburg, Tx where he was obligated to sell drugs. At any given time, FERNANDEZ, ANTONIO, and JUAREZ were never permitted to be alone. Moreover, upon arriving at GOMEZ' house, FERNANDEZ, ANTONIO, and JUAREZ were never permitted to spend time together. One of the three were isolated from the others.

On July 8, 2021, HSI McAllen SAs conducted surveillance at GOMEZ' residence on Saturn St. observed a tan in color cross over SUV leave the residence occupied by two adult females and three children. SAs followed the tan SUV to residence on E Pebble Dr Mission, Texas 78574. After approximately two hours, the two adult females and three children re-entered the vehicle and drove away from the residence. A deputy from the Hidalgo County Sheriff's Office observed the tan SUV driving 40 mph where the posted speed limit was 30 mph as well as observed the driver fail to signal 100 feet prior to turning. The deputy subsequently conducted a traffic stop. The vehicle was driven by Margarita ALVAREZ who provided her address as the same residence on Saturn St in Edinburg, TX. The front passenger identified herself as Luz Marisela FERNANDEZ Juarez. The three additional occupants were identified as ALVAREZ' juvenile children. The deputy requested an immigration determination for the occupants of the vehicle. HSI SAs conducted an immigration check and determined that ALVAREZ and her children were all US citizens (USCs) and that FERNANDEZ was a national and citizen of

Mexico who was illegally present in the US. The passenger of the vehicle was identified as the family member of MARIA, Luz Marisela FERNANDEZ Juarez. All subjects were taken to the HSI McAllen office for questioning.

HSI SA Tanner Fullmer and HSI SA Jaris Jones interviewed FERNANDEZ who stated the following in summary: FERNANDEZ had entered the US approximately two weeks ago along with her cousins, JUAREZ, and ANTONIO. They were passed off between different human smugglers until they arrived with GOMEZ. GOMEZ then took

possession of FERNANDEZ' and JUAREZ' cellular telephones. FERNANDEZ stated the reason GOMEZ gave for removing their cell phones was to control FERNANDEZ and her cousin's communication with others. While with GOMEZ, FERNANDEZ, ANTONIO, and JUAREZ were never permitted to remain alone and were constantly watched over by either GOMEZ or an additional subject named ENRIQUE who worked for GOMEZ. GOMEZ would on occasion permit FERNANDEZ, JUAREZ, and ANTONIO to speak with VICTOR and MARIA for approximately 2-3 minutes and were instructed to say that they were doing well. Additionally, FERNANDEZ was not permitted to make any phone calls to Mexico to her mother nor to her two juvenile children. GOMEZ obligated FERNANDEZ and ANTONIO to work selling fireworks as well as a babysitter and house cleaner. JUAREZ was obligated to sell drugs. While in GOMEZ' house, FERNANDEZ saw GOMEZ prepare a white powdery substance she believed was cocaine, by placing them into little, small bags. Additionally, FERNANDEZ frequently observed GOMEZ display a firearm in front of her, JUAREZ, and ANTONIO. Moreover, GOMEZ carried a tazer, and a pair of handcuffs.

ALVAREZ, GOMEZ' common law wife was interviewed by HSI SA Cordero Contreras, HSI SA Laron Smith, and HSI Supervisory SA (SSA) Michael Renaud who after being provided with her Miranda rights agreed to answer questions without the presence of an attorney and stated the following in summary.

ALVAREZ had observed GOMEZ carry a firearm and suspected that GOMEZ was involved in human smuggling. ALVAREZ had observed GOMEZ bring subject whom she believed were illegal aliens to the residence on Saturn St in Edinburg, TX.

On July 9, 2021 at approximately 1:45 AM, HSI McAllen received a phone call from the Mission Police Department (MPD) stating that GOMEZ had arrived at the looking for his family. HSI SA Fullmer, HSI SA Contreras, and HSI SSA Renaud attempted to interview GOMEZ who refused to answer questions. GOMEZ was then taken into federal custody.

On July 9, 2021 at approximately 8:00 AM, HSI SAs and Texas Rangers conducted a knock-and-talk at GOMEZ's sister's house in Edinburg, Texas. GOMEZ's sister provided consent to search the residence. Inside the residence, agents discovered JUAREZ and ANTONIO.

Agents have confirmed that JUAREZ, ANTONIO, and FERNANDEZ are citizens and nationals of Mexico without legal permission to remain in the United States.